

## **REMARKS**

### **1. Purpose of Supplemental Amendment**

The Remarks filed on November 13, 2009 included a Declaration under 35 U.S.C. § 131. That Declaration referenced an "Enclosure 1." Applicants submit that the response of November 13, 2009 fully responded to each of the Examiner's rejections. However, it has come to Applicants' attention that Enclosure 1 (a Wikipedia reference used for supplemental support) was inadvertently excluded from that filing. Accordingly, this Supplemental Amendment is provided simply to ensure that "Enclosure 1" has been included.

Enclosure 1 is referred to in the Declaration at page 4 and supports the arguments made on page 10, lines 6-9 of the Amendment filed November 13, 2009.

## **Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell Reg. No. 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

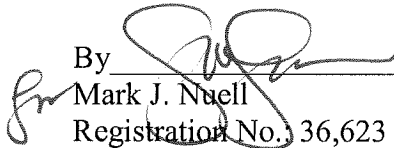
Application No. 10/565,903  
Reply to the Office Action of May 13, 2009  
Supplemental Amendment Dated November 16, 2009

Docket No.: 4342-0104PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: November 16, 2009

Respectfully submitted,

By  #47,604  
Mark J. Nuell  
Registration No. 36,623  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
12770 High Bluff Drive  
Suite 260  
San Diego, California 92130  
(858) 792-8855  
Attorney for Applicant

Attachment:  
Enclosure 1